

**Remarks/Arguments:**

The Drawing figures 1-3, 6 and 10 were objected to as not including the legend "prior art." This ground for objection is overcome in the amended drawing figures filed herewith.

The title was objected to as being non-descriptive. This ground for objection is overcome by the amendment to the title set forth above.

Claims 10, 13, 14 and 15 are pending in the above-identified application. Claims 1-9, 11 and 12 are canceled.

Claim 10 was objected to as including an informality. This informality is corrected in the amended claim 10.

Claim was rejected under 35 U.S.C. § 102(b) as being anticipated by Iwabuchi et al. This ground for rejection is overcome by the cancellation of claim 1.

Claim 2 was rejected under 35 U.S.C. § 103(a) as being obvious in view of Iwabuchi et al. and Ishaque et al. This ground for rejection is overcome by the cancellation of claim 2.

Claims 3 and 10-13 were rejected under 35 U.S.C. § 103(a) as being obvious in view of Iwabuchi et al., Ishaque et al. and Kaneda et al. With respect to claims 3, 11 and 12, this ground for rejection is overcome by the cancellation of those claims. With regard to claims 10 and 13, this ground for rejection is overcome by the amendments to claim 10. In particular, neither Iwabuchi et al., Ishaque et al., Kaneda et al. nor their combination disclose or suggest, "wherein light impinges upon the end surface of the pin-photodiode, the end surface being substantially perpendicular to the second conductivity-type of electrode of the pin-photodiode," as required by amended claim 10. Basis for this amendment may be found in Figure 13 and at page 14, line 29 through page 15, line 2.

Ishaque et al. disclose only that light impinges on the device through the transparent bottom contact. Because they do not disclose mesa configurations for their photodiodes, neither Iwabuchi et al. nor Kaneda et al. can disclose or suggest light impinging on the end surface, where the end surface is substantially perpendicular to the electrode of the pin

photodiode. Accordingly, claim 10 is not subject to rejection under 35 U.S.C. § 103(a) in view of Iwabuchi et al., Ishaque et al, Kaneda et al. Claim 13 depends from claim 10 and is not subject to rejection under 35 U.S.C. § 103(a) in view of Iwabuchi et al., Ishaque et al, Kaneda et al. for at least the same reasons as claim 10.

Claims 4 and 5 were rejected under 35 U.S.C. § 103(a) as being obvious in view of Iwabuchi et al. and Applicant's Admitted Prior Art. This ground for rejection is overcome by the cancellation of claims 4 and 5.

Claims 6-9 were rejected under 35 U.S.C. § 103(a) as being obvious in view of Iwabuchi et al. Applicants Admitted Prior Art and Ogura et al. this ground for rejection is overcome by the cancellation of claims 6-9.

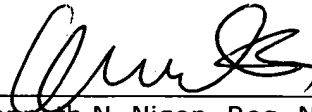
Claims 14 and 15 were objected to as being dependent on a rejected base claim. This ground for objection is overcome by the amendments to claim 10, from which claims 14 and 15 depend. In view of these amendments claim 10 is in condition for allowance and, thus, claims 14 and 15 are no longer subject to rejection under 35 U.S.C. § 103(a) in view of Iwabuchi et al. Applicants Admitted Prior Art and Ogura et al.

Appln. No.: 10/088,268  
Amendment Dated March 15, 2004  
Reply to Office Action of December 15, 2003

NSG-211US

In view of the foregoing amendments and remarks, Applicants request that the Examiner reconsider and withdraw the objections to the drawing figures 1-3, 6 and 10, the objection to the title, the objections to claims 10, 14 and 15 and the rejection of claims 10 and 13.

Respectfully submitted,



Kenneth N. Nigon, Reg. No. 31,549  
Attorney(s) for Applicant(s)

KNN/tmb

Attachments: Figure(s) 1-3, 6 and 10 (4 sheets)

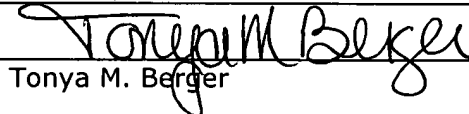
Dated: March 15, 2004

P.O. Box 980  
Valley Forge, PA 19482  
(610) 407-0700

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March 15, 2004

  
Tonya M. Berger